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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No.: Case No. BK-S-23-10423-MKN

Chapter 11

**RESPONSE TO DEBTOR'S MOTION TO
COMPEL TURNOVER OF ESTATE
ASSETS**

Hearing Date: June 28, 2023
Hearing Time: 10:30 a.m.

Christopher McAlary ("Mr. McAlary") by and through its counsel, the law firm of Carlyon Cica, hereby responds (the "Response") to the *Debtor's Motion to Compel Turnover of Estate Assets* [ECF No. 706] (the "Motion"). This Response is supported by the Declaration of Christopher McAlary submitted concurrently herewith. (the "McAlary Decl."). Mr. McAlary is the former CEO of the Debtor, a director of Coin Cloud Brasil Ativos Digitais Ltda. (the "Limitada") and the winning bidder for the purchase of the equity of the Limitada from the Debtor. *See Notice of Auction Results Regarding Sale of Substantially All of Debtor's Assets* at ECF No. 618.

Per paragraph 9 of the Motion, Cash Cloud Inc. dba Coin Cloud ("Debtor") states that "[a]s of December 31, 2022, the Debtor operated approximately 4,800 DCMs in the United States and Brazil, installed in some of the largest convenience, grocery and liquor store chains and prestigious malls, pursuant to host agreements." *See Motion* at 3:16-17. However, the Debtor does not operate

1 or own any Digital Currency Machines (“DCMs”) in Brazil. The Debtor’s subsidiary in Brazil,
2 Limitada is the sole operator of DCMs in Brazil and owns such DCMs. See McAlary Decl. ¶5.
3 Therefore the Motion should not extend to any of the DCMs in Brazil.

4 Respectfully submitted this 23rd day of June, 2023.

5 **CARLYON CICA CHTD.**

6 /s/ Dawn M. Cica, Esq.

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CERTIFICATE OF SERVICE

I am an employee of Carlyon Cica Chtd. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ ELECTRONIC SERVICE: Pursuant to LR 2002 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed and served on all parties and attorneys who are filing users through the Notice of Electronic Filing automatically generated by the Court.

☐ UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Cristina Robertson
An employee of Carlyon Cica Chtd.